

the missing—the ones who answered their country's call and never came home. He was awarded the Distinguished Service Cross for his service and sacrifice.

Though his mission was doomed, his death was not in vain. The fighting at Chosin Reservoir distracted the Chinese Army long enough to allow the Army to successfully withdraw south—the longest withdrawal in American history. He and his brothers in arms fought like hell, through hell. Their chances of victory, of even survival, were remote. But they didn't fight for themselves. They fought for their countrymen, living and generations away, for the ideal of self-government.

On Memorial Day, we honor all those who have died in service to America in defense of that ideal. Let us not mistake the stillness of the patriot graves with silence, though. The rows of headstones speak to us of sacrifice for the common good. They remind us of the price at which our freedom was won, of the too often smallness of our divisions, of the many reasons for faith in our fellow Americans no matter how strained our bonds may be, of the blessings we share even if they are obscure, and of our ability to pass through any trial no matter how daunting.

When we listen to them, I believe we will lift our heads from today's anxieties and face the future optimistically. As the story of Sergeant Garrigus shows, we Americans have refused to let far greater obstacles deter us or accepted that more difficult problems can't be solved.

Months after his death, at the Chosin Reservoir, Sergeant Garrigus's parents received a note of condolence from GEN Douglas MacArthur. In it, he hoped that the loss of their son in the defense of this country offered "some measure of comfort." The letter also spoke of the sergeant's "devotion to duty at the cost of all he held dear."

Eloquent words or well-meaning gestures on Memorial Day or any day have small power to comfort those left behind, but we can take more than a measure of comfort and should be eternally grateful that, from our founding until today, there have always been Americans willing to keep us safe and free at the cost of all they hold dear.

May God bless them and keep them in His arms.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

#### SOLAR ENERGY

Ms. ROSEN. Mr. President, for years, solar power has been a growing source of clean, low-cost energy and economic development in my State of Nevada, in States across our Nation, and surely in States like the Presiding Officer's, in California, but Nevada currently has the largest solar economy in the country, with the most solar jobs per capita—per capita—of any State.

Supporting solar energy creates American jobs, and these jobs are helping us to transition to clean, renewable

energy. Our domestic solar industry is made up of more than 10,000 businesses, large and small, located in every single State, employing over 250,000 American workers. But, at this moment, the American solar industry is at risk. All of the progress we have made to transition to clean energy and dramatically lower energy costs for American families is at risk. Hundreds of thousands of good-paying solar jobs are at risk because of a Department of Commerce investigation into imported solar panels.

Our domestic solar industry's success depends on a steady supply of solar panels to install. If we don't have the panels to install, we do not have—we just don't have—a domestic solar industry. Unfortunately, solar panel manufacturers in the United States can only meet the needs of 15 percent—15 percent—of American solar projects. That leaves 85 percent of solar projects without any access to solar panels, and this requires—requires—importing solar panels.

And let me make something very clear. I 100 percent support ramping up domestic solar manufacturing so that someday all of our solar panels and cells can be made in the United States, and I have introduced a bipartisan bill with Senator JERRY MORAN to do just that. However, today, we simply do not have the capacity or the capability to manufacture enough panels to meet demand or to support the hundreds of thousands of American workers—many in union jobs—whose livelihoods—well, they depend on access to available, affordable solar panels.

Utilities across the country, and especially in the southwestern States, are shifting to renewable solar energy. They have already hired workers and in many cases have made multimillion-dollar investments to do so. These are good-paying jobs, which often require special expertise to install and maintain our solar installations.

But since the administration's investigation was launched, there have been widespread reports of project cancellations and layoffs. It has thrown the entire solar industry into uncertainty, and it is threatening jobs. It is setting us back on our clean energy goals, and it is just sending—well, sending the wrong message to our communities as they plan for their infrastructure investments.

One industry report states that as a result of the solar freeze, over 80 percent of American solar companies—I want to repeat that—over 80 percent of American solar companies are facing cancellations; they are facing delays on all the materials that they need. Projects are on pause, companies are facing closure, and American jobs—people's livelihoods—they are in jeopardy.

Earlier this month, the State of Indiana announced that, due to the investigation, it will not be able to complete its solar projects on time and will have to keep its coal-powered plant opened several years longer than initially

planned. They won't be able to complete their solar panels in time.

And in my State of Nevada, NV Energy, the State's largest power company, has said that this investigation is causing massive disruptions to multiple Nevada solar projects that would provide low-cost—low-cost—power to more than 114,000 homes. This is hurting President Biden's own clean energy goals. It is reversing our progress toward clean, renewable energy.

I have highlighted all this in bipartisan letters that I have led to the Department of Commerce and to the White House signed by nearly a quarter of the Senate, including many of the colleagues you are going to hear from today.

If the Department of Commerce continues down the path we are on and enacts additional and retroactive solar tariffs, more than 100,000 American jobs could be lost. Hard-working families across this country will feel the pain of this decision that will cause energy costs—they are going to cause energy costs to go up.

Americans are already getting squeezed at the gas pump, facing historic inflation, and paying more for groceries. We cannot allow home energy costs to increase as well.

The administration—they can prevent this outcome and quell the panic in the solar industry by swiftly bringing the Department of Commerce's misguided investigation to an end.

I understand and respect the Department of Commerce's need to be thorough in investigating any claims of unfair trade practices, but as I have been pointing out, this petition is built upon a house of cards. The petition for the investigation was brought by one—one single solar company relying on data from researchers who say the company's claims are wrong and that the claims and the complaint do not accurately reflect their research.

We cannot let this one single company use data in a misleading way to destroy hundreds of thousands of American jobs. We must support and build our U.S. solar manufacturing, and I stand ready to work with all my colleagues to make that possible. But there are supply needs that need to be met right now, and we cannot simply build our domestic solar manufacturing overnight. This is not an either-or situation. We need to do both. American jobs are on the line. We need a resolution.

So I call on the Department of Commerce and the White House again to use every resource at their disposal to expedite this process and get American solar—well, let's get us back on track.

President Biden, we need action today; not next week, not next month, or later this summer. Hundreds of thousands of American solar workers, their families, our communities, they are counting on you.

Today, we will hear from several of my colleagues on this critically important issue, and I look forward to hearing from them about how we can continue to work together to save American jobs and protect our climate future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I, along with my colleague Senator ROSEN, am pleased to be able to speak out today. We have both been working throughout our time here in the U.S. Senate to support Nevada's booming renewable energy industry, including our solar sector for so many of the reasons that my friend and colleague Senator ROSEN highlighted right now.

There is one thing that is important to also understand, and I want to put this in perspective. In 2020, I helped to secure extensions of the investment tax credit and the residential renewable energy tax credit for solar so that we could increase private sector investments in this critical sector.

What has happened is, with this investigation—and don't get me wrong, and I think all of my colleagues feel the same way—that under the statute, under the code, the Commerce Department has every right to investigate this circumvention petition. That is not the issue that, for me, we are coming here today. What we are asking the administration to do, at least from my perspective, is pursuant to that very statute, under sub (f), the administrator—in this case, the Department of Commerce and their incredible staff, which they do have working on this—are required to make a determination within 300 days of the petition being filed—within 300 days of the petition being filed. What we are asking is for that swift determination to be made.

Here is why: Because we know in our State, and what I am hearing from so many of the industry in my State, it is having a chilling effect from us moving forward and being able to move forward to, quite honestly, achieve this administration's goal of aggressive decarbonization targets for this country and for our future.

What I do know is this: Because of the chilling effect it is having during this period of investigation, there are a couple of things that are happening. In the solar industry right now, everything is on hold. There are concerns that, depending on how the outcome of this investigation rolls out, there could be retroactive tariffs applied to these solar industries, more costs to these solar industries. So, of course, any business is going to say, wait, I don't know in the industry what the lay of the land is right now, what my costs are going to be, so I am going to stop moving forward until I know the results of that investigation, because if there are retroactive tariffs, retroactive costs to me, I want to be able to know about that as a business owner.

Here is the other thing: Because of this chilling effect, because nothing is

moving forward, I talked about the fact that we actually passed, under the previous administration, in 2020, extensions of the investment tax credit and the residential renewable energy tax credit for solar. So we gave incentives to the solar industry in 2021 and 2022, at 26 percent so that we can build up our solar industry; so that we can reduce our carbon footprint; so we can meet our decarbonization aggressive goals that we had. And then at 26 percent, they are entitled to that tax credit from years 2021 to 2022, and then it goes down to 22 percent in year 2023, down to 10 percent in year 2024 for commercial, and 0 percent for 2024 residential. If nothing is moving forward, nobody is getting the benefits of that investment tax credit that we fought so hard for under the previous administration to move forward with.

Here is what our challenge is in this country: Yes, we are all here because we want to move forward with this decarbonization. We want to move forward with clean energy. Solar is a way to do that. But we need a ramp to get there. We cannot shut off the components, the modules, the panels—everything we need. And 80 percent of those panels come from outside of this country. We cannot shut it down overnight and expect our small solar manufacturing companies to achieve the capacity that we need in this country to continue to move forward. So we need a longer ramp. We need to figure out, working together, how we make this happen, with our ultimate goal being reducing that carbon footprint in this country, bringing back that supply chain and building and making it in America again, all of those panels, the modules, everything that we need for solar. But it can't be done overnight.

Yes, we have put those investments out there to bring that manufacturing here. Yes, we have a new plant going in in Ohio, which is fantastic. But I will tell you, that one plant alone isn't enough to achieve what we need in capacity for the solar industry in this country.

So as we stand here, what is happening is that nothing is moving forward, and we now have a potential of losing out potentially to other countries and slowing down a process that we need to reach our clean energy goals for this country.

That is why so many of my colleagues, including in Nevada but across the country, are coming up and talking with the administration. What we are just asking is for the administration to understand the challenges that we are facing right now but at the same time, make a swift, determined investigation and action. Do it quickly, quickly, so that we can move forward, so that the solar industry has the information that it needs.

Why are we so vocal about this? I will tell you, Nevada's solar industry is the largest in the Nation. The industry supports more jobs per capita in my State than in any other. Many of those

are union jobs, and they are on hold right now, and nothing is moving forward right now. That is not, I don't believe, the intent of the administration or what we have been trying to achieve here at the end of the day as we look forward to a clean energy economy.

I know this industry in my State makes our economy much stronger and more resilient. Solar and other renewables help us meet our climate goals and enhance our energy independence in this country, which we need now more than ever. An investment in renewable energy is lowering energy costs for Nevadans across the State.

Right now, my concern is because of the hundreds of union-trained workers whose progress on building out critical solar capacity will be at risk if they can't get the material they need to move forward quickly—we are slowing down not only the potential to meet that clean energy future, but we are slowing our economy, and we are putting too many of our good-paying union workers out of jobs right now.

So my request, and I believe with my colleagues, was that we are asking the Commerce Department just to make a swift decision here. Yes, they should be doing this. Yes, this is their right under the statute. Yes, the circumvention petition is important so that we can prevent any type of dumping by other countries and flooding our market. Absolutely, I agree. But within the provisions of the trade laws that we have right now and the statute, the Commerce Department rightly does the investigation, but they can do it quickly. And that is all we are asking here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, this week, the solar industry in this country is at something in naval aviation that we call refusal speed. Now, what is refusal speed? Refusal speed is the speed at which an aircraft continues to pick up speed on its takeoff roll or abandon, abort that takeoff roll and remain on the ground. That is what refusal speed is.

In recent years, America's solar energy industry has been rolling down the runway, picking up speed every day. Unfortunately, there are forces at large today that threaten to abort the takeoff roll and ground this vital industry.

Today, I join my colleagues in rising to express our grave concerns about a challenge that threatens to bring the solar industry to a halt—to a halt—not from climate change deniers but from our own Federal Government.

As we speak, Mr. President, the U.S. Commerce Department is investigating whether solar energy products coming from Malaysia, Vietnam, Thailand, and Cambodia should be subject to the same tariffs as are currently in place for products coming here from China. This investigation is currently freezing access to these products for American businesses that import and deploy

them across our country, and the threat of astronomical tariffs looms large.

As a result, a number of our colleagues are deeply concerned about the impact of the Commerce investigation not only on the solar industry but also on our ability to combat the climate crisis and meet President Biden's bold climate goals. We are already in danger of running out of time to reduce greenhouse gas emissions. I know that. The Presiding Officer knows that. All our colleagues realize that. Now this investigation threatens to create an unforced error—an unforced error—in our commitment to protect our planet. We don't have time for an unforced error. We are not waiting for the climate crisis to arrive; the climate crisis is here, and it is here now.

Without bold action, our country and our planet will continue to feel ever more devastating impacts. Already, in the last year alone, we have witnessed wildfires burning millions of acres in California, Montana, Arizona, and other Western States—fires as big as my State. The same hurricane that knocked out access to power and water for a million people in Louisiana and Mississippi then went on to produce flash floods in New Jersey and New York. People there actually drowned in their basements, unable to escape the torrent of floodwater.

To prevent further devastating, irreversible effects of climate change and protect our planet for future generations, we need to continue transitioning our Nation and our planet away from fossil fuels. Among other things, we should be doing everything in our power to lift up innovators in the solar industry, to boldly cut emissions from our power sector, and to attack this climate crisis head-on. But, unfortunately, the Commerce Department's investigation threatens to hamstring one of the strongest weapons in our fight: clean renewable energy.

The prospect of as much as a 250-percent tariff on solar products will have an immediate, disastrous impact on a leading renewable energy source for our Nation. Effectively, we would be punishing the very green industry that is helping to lead the charge to curb emissions and further reduce our Nation's reliance on fossil fuels.

We would be punishing the hundreds of thousands of Americans who work in the solar industry. In fact, the Solar Energy Industries Association estimates that this investigation currently underway threatens 70,000 jobs between now and 2025—70,000 jobs. But more than that, we have heard from businesses in the solar industry that say that the very threat of these tariffs is already freezing imports needed to build solar infrastructure and bolster our defense against the climate crisis.

The idea that solar companies may have to sit around waiting for January 2023 to come around just to see if industry-rocking tariffs will be announced—that alone is destabilizing. It

is worse than destabilizing; it already risks bringing investments to a standstill, while adding uncertainty to the solar market and pushing utility companies to slow their transition away from fossil fuels out of fear for a change in American climate priorities, because that is what is at stake here. What do we value? Are we committed to a clean energy future, a transition to a 100-percent carbon pollution-free electric sector by 2035 and to protecting American jobs and lives from an impending climate crisis or are we OK with the status quo, with holding back our renewable energy prospects and continuing to let politics dictate our planet's future?

Across this Nation, Americans are feeling the effects of climate change in every storm surge and every coastal flood. We certainly see that in my home State of Delaware. We are the lowest lying State in America. The seas around us are rising. My State is sinking. Americans across the country are ready to do whatever it takes to save our planet and create a ton of jobs at the same time.

I implore the Biden administration to swiftly expedite its investigation rather than drag this process out and add to the uncertainty of businesses across our country and to rule out retroactive, job-killing tariffs in the process.

In this moment—in this moment—we have to act with greater urgency to drive down emissions. In this moment, we have to unleash the power of American clean energy. In this moment, we need to protect our planet for generations to come.

To fall short of our commitment would be to let down all of those who inherit this planet from us. Make no mistake, future generations will look back at this critical moment in our Nation's history to see what we did when our planet was on the line. Heaven forbid they look back and see that our own hand—our own hand—forced this error.

Again, I implore this administration to end this investigation, lift up the solar industry, and help us meet our Nation's climate goals.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### MEMORIAL DAY

Mr. TUBERVILLE. Mr. President, the first stanza of our national anthem ends with "O say does that star-spangled banner yet wave o'er the land of the free and the home of the brave?"

We sing this part as a triumphant declaration, but if you read the lyrics of the "Star-Spangled Banner," the sentence actually ends with a question mark. Francis Scott Key intended this line to be sung as a question rather than a statement. That is fitting because, while our freedom may be concrete, hate and evil threaten the security of our freedom from one generation to the next.

Over the years, our national anthem took on a feeling of confidence and as-

surance rather than uncertainty, and that is thanks to the millions of men and women who bravely answered the call to serve. Many soldiers lost their lives to give us the security we all enjoy and the assurance we are proud of. That is what we keep in our hearts and on our minds as we honor the fallen on this Memorial Day.

Throughout the course of our Nation's history, our freedom has been protected by those who stood toe to toe with hate and evil, endured sleepless nights on the battlefield, rough days at sea, harsh conditions in the desert, and years living in a far corner of the globe so that we, as Americans, can sleep peacefully in the comfort and security of our home.

Sadly, some of our Nation's heroes never ever returned. My State of Alabama lost 2,500 soldiers during World War I, 5,114 soldiers during World War II, and hundreds and hundreds of others in wars since.

Alabama pays tribute to those who have made the ultimate sacrifice with memorials across our State. More than 400,000 people visit the USS Alabama Battleship Memorial Park in Mobile annually, where they learn more about our military and those who served. The city of Trussville, AL, recently broke ground on the Alabama Fallen Warrior Monument to honor Alabama servicemembers killed since 9/11.

But these sites are more than just landmarks; they tell stories of countless lives that were forever changed—the stories of daughters, sons, husbands, wives, mothers, and fathers who answered the call to defend our country at home and abroad, not knowing what their future would hold; stories of mothers who hugged their children and husbands who kissed their wives without knowing if it was for the last time. Every year on Memorial Day, we pause to honor these heroes and reflect on the price they have paid for our freedom.

Today, I would like to recognize some of Alabama's fallen soldiers who have paid freedom's high cost and the Gold Star families who still grieve from their absence.

Many of our fallen servicemembers had not yet reached the prime of their lives. Some were still in high school when they answered the call to service. That is true for PFC James Joshua, Jr., of Gadsden, AL, who left high school to become a U.S. marine at the young age of 18. This bright young man adored his family, and his dreams for his life were like that of many 18-year-olds.

Private Joshua had great aspirations of travel, and he wanted a successful career, but he also felt a higher calling to serve his country in Vietnam. The second oldest of eight children, Private Joshua was a natural protector who wanted to make sure his family and his country were safe, so he deployed as a marine, but he never returned home. On May 22, 1968, his life was cut short. He was killed when his company was